

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S401–S450*

**Measures Introduced:** Eight bills and two resolutions were introduced, as follows: S. 2974–2981, and S. Res. 405–406. **Pages S439–40**

**Measures Reported:**

S. 1733, to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy, with an amendment in the nature of a substitute. (S. Rept. No. 111–121)

S. 1524, to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, with an amendment in the nature of a substitute. (S. Rept. No. 111–122)

Report to accompany S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market. (S. Rept. No. 111–123)

S. 1749, to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners, with amendments. **Page S438**

**Measures Passed:**

**Freedom of Expression and Press Freedom:** Senate agreed to S. Res. 405, reaffirming the centrality of freedom of expression and press freedom as cornerstones of United States foreign policy and United States efforts to promote individual rights. **Pages S447–48**

**Honoring Catholic Schools:** Senate agreed to S. Res. 406, recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States. **Page S448**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire; which was referred to the Com-

mittee on Banking, Housing, and Urban Affairs. (PM–44) **Pages S435–36**

**Smith Nomination—Agreement:** Senate continued consideration of the nomination of M. Patricia Smith, of New York, to be Solicitor for the Department of Labor. **Pages S406–09, S409–31**

A unanimous-consent-time agreement was reached providing that Senate resume consideration of the nomination at approximately 12 p.m., on Thursday, February 4, 2010, and that all post-cloture time be considered expired except for 20 minutes; with that time equally divided and controlled between Senators Harkin and Enzi, or their designees; that upon the use or yielding back of time, Senate vote on confirmation of the nomination. **Page S431**

**Johnson Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that on Thursday, February 4, 2010, upon disposition of the nomination of M. Patricia Smith, of New York, to be Solicitor for the Department of Labor, Senate resume consideration of the nomination of Martha N. Johnson, of Maryland, to be Administrator of General Services, and that there be two hours of debate prior to a vote on the motion to invoke cloture thereon; with the time equally divided and controlled between the two Leaders, or their designees; that upon the use of time, Senate vote on the motion to invoke cloture thereon; that if cloture is invoked, all post-cloture time be yielded back, and Senate then vote on confirmation of the nomination. **Page S431**

**Nominations Confirmed:** Senate confirmed the following nominations:

Robert William Heun, of Alaska, to be United States Marshal for the District of Alaska for the term of four years.

Willie Lee Richardson, Jr., of Georgia, to be United States Marshal for the Middle District of Georgia for the term of four years.

72 Air Force nominations in the rank of general.

9 Army nominations in the rank of general.

6 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S431–33, S448–50**

**Nomination Received:** Senate received the following nomination:

Michele Marie Leonhart, of California, to be Administrator of Drug Enforcement. **Page S448**

**Executive Communications:** **Pages S436–38**

**Executive Reports of Committees:** **Pages S438–39**

**Additional Cosponsors:** **Page S440**

**Statements on Introduced Bills/Resolutions:**  
**Pages S440–46**

**Additional Statements:** **Pages S434–35**

**Notices of Hearings/Meetings:** **Page S446**

**Authorities for Committees to Meet:** **Page S447**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:20 p.m., until 12 p.m. on Thursday, February 4, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S448.)

## Committee Meetings

(Committees not listed did not meet)

### DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Committee concluded a hearing to examine the Defense Authorization request for fiscal year 2011, the Future Years Defense Program, the 2011 Quadrennial Defense Review, and the 2011 Missile Defense Review, after receiving testimony from Robert M. Gates, Secretary, Admiral Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff, and Robert F. Hale, Under Secretary (Comptroller), Chief Financial Officer, all of the Department of Defense.

### DON'T ASK, DON'T TELL POLICY

*Committee on Armed Services:* Committee concluded a hearing to examine the "Don't Ask, Don't Tell" policy, after receiving testimony from Robert M. Gates, Secretary, and Admiral Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported the nominations of Douglas B. Wilson, of Arizona, to be Assistant Secretary for Public Affairs, Malcolm Ross O'Neill, of Virginia, to be Assistant Secretary of the Army for Acquisition, Logistics and Technology, Mary Sally Matiella, of Arizona, to be Assistant Secretary of the Army for Financial Management and Comptroller, Paul Luis Oostburg Sanz, of Maryland, to be General Counsel of the Department of the Navy, and Jackalyne Pfannenstiel, of California, to be Assistant Secretary of the Navy for

Installations and Environment, all of the Department of Defense, and 1,802 nominations in the Army, Navy, Air Force, and Marine Corps.

### HIGH-RISK INVESTMENT ACTIVITIES

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine prohibiting certain high-risk investment activities by banks and bank holding companies, after receiving testimony from Paul A. Volcker, Chairman, President's Economic Recovery Advisory Board; and Neal S. Wolin, Deputy Secretary of the Treasury.

### BUDGET

*Committee on the Budget:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011, after receiving testimony from Peter R. Orszag, Director of the Office of Management and Budget.

### NOMINATIONS

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the nominations of Larry Persily, of Alaska, to be Federal Coordinator for Alaska Natural Gas Transportation Projects, who was introduced by Senator Begich, and Patricia A. Hoffman, of Virginia, to be Assistant Secretary of Energy for Electricity Delivery and Energy Reliability, after the nominees testified and answered questions in their own behalf.

### BUDGET

*Committee on Finance:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Bisa Williams, of New Jersey, to be Ambassador to the Republic of Niger, and Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, who was introduced by Senator Warner and Representative Towns, all of the Department of State, after the nominees testified and answered questions in their own behalf.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the

United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Deputy Representative of the United States of America in the Security Council of the United Nations, Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, who was introduced by Senators Nelson (FL) and LeMieux, Ian C. Kelly, of Maryland, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, who was introduced by Senator Cardin, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs, who was introduced by Senator Bayh, all of the Department of State, after the nominees testified and answered questions in their own behalf.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of the Philippines, and David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, who was introduced by Senator Isakson, all of the Department of State, after the nominees testified and answered questions in their own behalf.

#### NOMINATION

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the nomination of Craig Becker, of Illinois, to be a Member of the National Labor Relations Board, after the nominee testified and answered questions in his own behalf.

#### CORPORATE SPENDING IN ELECTIONS

*Committee on Rules and Administration:* Committee concluded a hearing to examine the Supreme Court's decision to allow unlimited corporate spending in elections, after receiving testimony from Senators Feingold and Kerry; Steve Bullock, Montana Attorney General, Helena; Allison R. Hayward, George Mason University School of Law, Arlington, Virginia; Edward B. Foley, The Ohio State University Moritz College of Law, Columbus; Stephen M. Hoersting, Center for Competitive Politics, Alexandria, Virginia; Fred Wertheimer, Democracy 21, Washington, D.C.; and Heather K. Gerken, Yale Law School, New Haven, Connecticut.

#### CURRENT AND PROJECTED THREATS

*Select Committee on Intelligence:* Committee concluded a hearing to examine current and projected threats to the United States, after receiving testimony from Dennis C. Blair, Director of National Intelligence; Leon Panetta, Director, Central Intelligence Agency; Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; Lieutenant General Ronald L. Burgess, Jr., Director, Defense Intelligence Agency, Department of Defense; and John Dinger, Acting Assistant Secretary of State for the Bureau of Intelligence Research.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 24 public bills, H.R. 4553–4576; and 13 resolutions, H.J. Res. 74 and H. Res. 1050–1061, were introduced.

**Pages H470–72**

**Additional Cosponsors:**

**Pages H472–73**

**Report Filed:** A report was filed today as follows:

H. Res. 1051, providing for consideration of the bill (H.R. 4061) to advance cybersecurity research,

development, and technical standards (H. Rept. 111–410).

**Page H470**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Moore (WI) to act as Speaker pro tempore for today.

**Page H429**

**Recess:** The House recessed at 12:38 p.m. and reconvened at 2 p.m.

**Page H430**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Jim Kolbe Post Office Designation Act:** H.R. 4495, to designate the facility of the United States Postal Service located at 100 North Taylor Lane in Patagonia, Arizona, as the “Jim Kolbe Post Office”, by a  $\frac{2}{3}$  ye-a-and-nay vote of 390 yeas with none voting “nay”, Roll No. 26; **Pages H431–32, H448**

**Honoring Jimmie Johnson, 2009 NASCAR Sprint Cup Champion:** H. Res. 957, to honor Jimmie Johnson, 2009 NASCAR Sprint Cup Champion, by a  $\frac{2}{3}$  ye-a-and-nay vote of 391 yeas to 1 nay, Roll No. 27; and **Pages H432–33, H448–49**

**Recognizing and supporting the goals and ideals of North American Inclusion Month:** H. Res. 1014, to recognize and support the goals and ideals of North American Inclusion Month, by a  $\frac{2}{3}$  ye-a-and-nay vote of 389 yeas with none voting “nay”, Roll No. 28. **Pages H433–34, H449–50**

**Recess:** The House recessed at 4:15 p.m. and reconvened at 6:31 p.m. **Pages H447–48**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

**Recognizing Brescia University for 60 years of leadership in higher education:** H. Res. 1043, amended, to recognize Brescia University for 60 years of leadership in higher education; **Pages H434–35**

**Recognizing November 14, 2009, as the 49th anniversary of the first day of integrated schools in New Orleans, Louisiana:** H. Res. 901, amended, to recognize November 14, 2009, as the 49th anniversary of the first day of integrated schools in New Orleans, Louisiana; **Pages H435–37**

**Honoring the life and sacrifice of Medgar Evers and congratulating the United States Navy for naming a supply ship after Medgar Evers:** H. Res. 1022, to honor the life and sacrifice of Medgar Evers and to congratulate the United States Navy for naming a supply ship after Medgar Evers; **Pages H437–40**

**Expressing support for designation of January 2010 as “National Stalking Awareness Month” to raise awareness and encourage prevention of stalking:** H. Res. 960, to express support for designation of January 2010 as “National Stalking Awareness Month” to raise awareness and encourage prevention of stalking; **Pages H440–42**

**Criminal History Background Checks Pilot Extension Act:** S. 2950, to extend the pilot program for volunteer groups to obtain criminal history background checks; and **Pages H442–43**

**Commemorating the 65th anniversary of the liberation of Auschwitz, a Nazi concentration and extermination camp, honoring the victims of the Holocaust, and expressing commitment to strengthen**

**the fight against bigotry and intolerance:** H. Res. 1044, to commemorate the 65th anniversary of the liberation of Auschwitz, a Nazi concentration and extermination camp, honor the victims of the Holocaust, and express commitment to strengthen the fight against bigotry and intolerance. **Pages H443–45**

**Providing amounts for further expenses of the Committee on Standards of Official Conduct in the One Hundred Eleventh Congress:** The House agreed to discharge and agree to H. Res. 1050, to provide amounts for further expenses of the Committee on Standards of Official Conduct in the One Hundred Eleventh Congress. **Page H450**

**Presidential Message:** Read a message from the President wherein he transmitted to Congress his Budget of the United States Government for Fiscal Year 2011—referred to the Committee on Appropriations and ordered printed (H. Doc. 111–82). **Pages H445–47**

Read a message from the President wherein he notified Congress that the national emergency declared with respect to the situation in or in relation to Côte d’Ivoire is to continue in effect beyond February 7, 2010—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–90). **Pages H450–51**

**Quorum Calls—Votes:** Three ye-a-and-nay votes developed during the proceedings of today and appear on pages H448, H448–49, and H449–50. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 9:45 p.m.

## Committee Meetings

### PRESIDENT’S FY 2011 BUDGET

**Committee on the Budget:** Held a hearing on the President’s Fiscal Year 2011 Budget. Testimony was heard from Peter Orszag, Director, OMB.

### CYBERSECURITY ENHANCEMENT ACT OF 2009

**Committee on Rules:** Granted, by a non-record vote, a structured rule. The rule provides for one hour of general debate on H.R. 4061, Cybersecurity Enhancement Act of 2009, equally divided and controlled by the chair and ranking minority member of the Science and Technology Committee. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Science and Technology Committee now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The

rule waives all points of order against the amendment in the nature of a substitute except those arising under clause 10 of rule XXI. The rule further makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments except those arising under clause 9 or 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Science and Technology Committee or a designee. Finally, the rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill. Testimony was heard by Chairman Gordon and Representatives Hastings (FL), Edwards (MD), and Sessions.

## Joint Meetings

### KAZAKHSTAN

*Commission on Security and Cooperation in Europe.* Commission concluded a hearing to examine Kazakhstan's leadership of the Organization for Security and Cooperation in Europe (OSCE), after receiving testimony from Kanat Saudabayev, Kazakhstan Foreign Minister and Chairman-in-Office, Organization for Security and Cooperation in Europe, Astana, Kazakhstan.

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## COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 3, 2010

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Finance:* to hold hearings to examine the President's proposed budget request for fiscal year 2011 for health care proposals, 3:30 p.m., SD-215.

### House

*Committee on Appropriations,* Subcommittee on Commerce, Justice, Science, and Related Agencies, on Science, Technology, Engineering and Math Education 1, 10 a.m., and on Economic Development Administration, 2 p.m., H-309 Capitol.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Investments in Transportation Improvements: the FY 2011 Budget Re-

quest for the Department of Transportation, 10 a.m., 2359 Rayburn.

*Committee on Armed Services,* hearing on the Fiscal Year 2011 National Defense Authorization Budget Request from the Department of Defense, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on the report of the Defense Task Force on Sexual Assault in the Military Services, 3 p.m., 210 HVC.

*Committee on Education and Labor,* hearing on Strengthening the Economy and Improving the Lives of American Workers, 10 a.m., 2175 Rayburn.

*Committee on Foreign Affairs,* hearing on Yemen on the Brink: Implications for U.S. Policy, 9:30 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on America and the Iranian Political Reform Movement: First, Do No Harm, 2 p.m., 2172 Rayburn.

*Committee on House Administration,* to continue hearings on Review of the Use of Committee Funds in the First Session of the 111th Congress, 11:30 a.m., and a hearing on Defining the Future of Campaign Finance in an Age of Supreme Court Activism, 1 p.m., 1310 Longworth.

*Committee on the Judiciary,* Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on the First Amendment and Campaign Finance After Citizens United, 10 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform,* Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled "Half Way Home to the District: The Role of Halfway Houses in Reducing Crime and Recidivism in the Nation's Capitol," 10 a.m., 2154 Rayburn.

*Committee on Rules,* to consider H.J. Res. 45, Increasing the statutory limit on the public debt, 3 p.m., H-313 Capitol.

*Committee on Science and Technology,* Subcommittee on Space and Aeronautics, hearing on Key Issues and Challenges Facing NASA: Views of the Agency's Watchdogs, 10 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, hearing on Passenger Screening R&D: Responding to President Obama's Call to Develop and Deploy the Next Generation of Screening Technologies, 2 p.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on FEMA's Urban Search and Rescue Program in Haiti: How to Apply Lessons Learned at Home, 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Disability Assistance and Memorial Affairs, hearing on Implementation and Status Update on the Veterans' Benefits Improvement Act, P.L. 110-389, 2 p.m., 334 Cannon.

Subcommittee on Health, hearing to review VA Contract Health Care: Project HERO, 10 a.m., 334 Cannon.

*Committee on Ways and Means,* hearing on the President's Budget for Fiscal Year 2011 Budget, 10 a.m., and 2 p.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* hearing on the Annual Threat Assessment, Part 1, 9 a.m., and executive, Part II, 11 a.m., 210 HVC.

*Next Meeting of the SENATE*

12 p.m., Thursday, February 4

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, February 3

## Senate Chamber

**Program for Thursday:** Senate will resume consideration of the nomination of M. Patricia Smith, of New York, to be Solicitor for the Department of Labor, and after a period of debate, vote on confirmation of the nomination; following which, Senate will resume consideration of the nomination of Martha N. Johnson, of Maryland, to be Administrator of General Services, and after a period of debate, vote on the motion to invoke cloture on the nomination, and if cloture is invoked, vote on confirmation of the nomination.

## House Chamber

**Program for Wednesday:** Consideration of the following suspensions: (1) H.R. 2843—Architect of the Capitol Appointment Act and (2) H.R. 4532—Social Security Disability Applicants' Access to Professional Representation Act of 2010. Consideration of H.R. 4061—Cybersecurity Enhancement Act of 2009 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

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